

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

09 CIVIL 1043 (RJS)

-against-

JOSEPH CONTORINIS,

Defendant.

JUDGMENT

#12,0229

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Plaintiff having moved for summary judgment, and the matter having come before the Honorable Richard J. Sullivan, United States District Judge, and the Court, on February 3, 2012, having rendered its Memorandum and Order permanently restraining and enjoining defendantd from violating, directly or indirectly, Section 10(b) of the Exchange Act and Rule 10b-5 promulgated thereunder, by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security: (i) to employ any device, scheme, or artifice to defraud; (ii) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or (iii) to engage in any act, practice, or course of business that operates or would operate as a fraud or deceit upon any person, ordering Defendant to disgorge his profits in the amount of \$7,260,604 plus prejudgment interest to be calculated at the IRS underpayment rate, and ordering Defendant to pay a civil penalty of \$1,000,000, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum and Order dated February 3, 2012, Defendant is permanently restrained and enjoined from violating, directly or indirectly, Section 10(b) of the Exchange Act and Rule 10b-5


promulgated thereunder, by using any means or instrumentality of interstate commerce, or of the mails, or of any facility of any national securities exchange, in connection with the purchase or sale of any security: (i) to employ any device, scheme, or artifice to defraud; (ii) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or (iii) to engage in any act, practice, or course of business that operates or would operate as a fraud or deceit upon any person; Defendant shall disgorge his profits in the amount of \$7,260,604 plus prejudgment interest to be calculated at the IRS underpayment rate; and Defendant shall pay a civil penalty of \$1,000,000; accordingly, the case is closed.

Dated: New York, New York
February 8, 2012

RUBY J. KRAJICK

Clerk of Court

BY:



Deputy Clerk

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____